IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL Nos: 303, 304 and 305 of 2005

WRIT APPEAL No: 303 of 2005

(Writ Appeal under Clause 15 of the Letters Patent Act against the Order dated 31/12/2004 in WP No: 18500 of 2003 on the file of the High Court.)

Between:

B. Venkateshwar Reddy, S/o Buchi Reddy,
R/o H.No. 5-11-662, Vidyarayanpuri,
Hanamkonda, Warangal District.

..... APPELLANT

AND

1 The Managing Director, TRANSCO
Transmission Corporation Ltd.,
Vidyuth Soudha, Hyderabad.
2 The Chief Engineer, Transmission, Vidyuth Soudha, Hyderabad
3 The Chief Engineer, TL & SS Zone, Visakhapatnam.

.....RESPONDENTS

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Counsel for the Appellant: MR.BANKATLAL MANDHANI

Counsel for the Respondents.: MR.V.AJAYAKUMAR, SC for AP TRANSCO

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WRIT APPEAL NO : 304 of 2005

(Writ Appeal under Clause 15 of the Letters Patent Act against the Order dated 31/12/2004 in WP NO : 20777 OF 2003 on the file of the High Court.)

Between:

B. Venkateshwar Reddy, S/o Buchi Reddy,
R/o H.No. 5-11-662, Vidyarayanpuri,
Hanamkonda, Warangal District.

..... APPELLANT

AND

1 The Managing Director, TRANSCO
Transmission Corporation Ltd.,
Vidyuth Soudha, Hyderabad.
2 The Chief Engineer, Transmission, Vidyuth Soudha, Hyderabad
3 The Chief Engineer, TL & SS Zone, Visakhapatnam.

.....RESPONDENTS

Counsel for the Appellant: MR.BANKATLAL MANDHANI

Counsel for the Respondents: MR.V.AJAYAKUMAR, SC for AP TRANSCO

WRIT APPEAL NO : 305 of 2005

(Writ Appeal under Clause 15 of the Letters Patent Act against the Order dated 31/12/2004 in WP NO: 18505 OF 2003 on the file of the High Court.)

Between:

B. Venkateshwar Reddy, S/o Buchi Reddy,
R/o H.No. 5-11-662, Vidyarayanpuri,
Hanamkonda, Warangal District.

..... APPELLANT

AND

1 The Managing Director, TRANSCO

Transmission Corporation Ltd.,
Vidyuth Soudha, Hyderabad.
2 The Chief Engineer, Transmission, Vidyuth Soudha, Hyderabad
3 The Chief Engineer, TL & SS Zone, Warangal District

.....RESPONDENTS

Counsel for the Appellant: MR.BANKATLAL MANDHANI

Counsel for the Respondents.: MR.V.AJAYAKUMAR, SC for AP TRANSCO

The Court at the admission stage made the following ;

COMMON ORDER: (per the Hon'ble the Chief Justice)

Since these three writ appeals arise out of the common order passed by the learned single Judge and common questions are involved, they are disposed of by this common order.

Petitioner, who is common in all the three writ petitions is the appellant before us. He is a registered approved contractor. According to the petitioner, pursuant to the tender notice issued on 16.6.2003, he participated in the tenders and he was awarded three works. While so, a letter was served upon him terminating the contract on illegal and arbitrary grounds. Aggrieved by the same, he filed the writ petitions.

Learned single Judge has dismissed the writ petitions on merits observing that there is suppression of material facts by the petitioner in regard to his close relationship with an officer of the respondent Corporation, which is fatal. It was also observed that though it may not fall within the prohibited degree, suppression of facts is fatal.

The writ petitioner has now preferred these appeals stating that his relationship with the officer of the respondent Corporation will not come in the way of awarding the contracts and therefore the order of the learned single Judge is bad in law.

We need not go into all these questions inasmuch as in contractual matters,

even if the order of termination is arbitrary and bad, it will not be appropriate to make any adjudication in exercise of writ jurisdiction. The petitioner-appellant has got adequate efficacious alternative remedy of filing a civil suit where it will be for the petitioner-appellant to lead evidence. Entertaining a writ petition in adjudication of disputed questions may not be appropriate in such like cases in writ jurisdiction. The petitioner may avail the alternative remedy available to him in law.

Accordingly, we set aside the order of the learned single Judge but dismiss the writ petitions reserving liberty to the petitioner-appellant to work out his remedy in accordance with law.

The writ appeals are accordingly disposed of.

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DEVINDER GUPTA, CJ

Dated 01..03..2005

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B.SESHASAYANA REDDY,J

msv

To

1 The Managing Director, TRANSCO
Transmission Corporation Ltd.,
Vidyuth Soudha, Hyderabad.
2 The Chief Engineer, Transmission, Vidyuth Soudha, Hyderabad
3 The Chief Engineer, TL & SS Zone, Visakhapatnam.
4 Two CD Copies

5 The Chief Engineer, TL & SS Zone, Warangal District.